

Statement by Bob Wise
Former Governor of West Virginia, 2001-2005

TESTIMONY BEFORE THE TRANSPORTATION AND
INFRASTRUCTURE SUBCOMMITTEE ON ECONOMIC
DEVELOPMENT, PUBLIC BUILDINGS AND EMERGENCY
MANAGEMENT
TO THE HEARING ON RECOVERING AFTER KATRINA: ENSURING
THAT FEMA IS UP TO THE TASK
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2167 Rayburn House Office Building

Good morning Mr. Chairman and Ranking Member. My name is Bob Wise, President of the Alliance for Excellent Education and former Governor of West Virginia, from 2001-2005. It is good to be back with this committee again, where I spent 18 years as a Member.

While a Member of this Committee, I spent a great deal of time on FEMA oversight and authorization issues, both as a result of my subcommittee assignments and also because my state was prone to frequent natural disasters—usually flooding—that involved obtaining a federal natural disaster declaration and working closely with FEMA. However, after leaving the Congress and serving as Governor of West Virginia, I found myself working very closely with FEMA as a direct partner and consumer of services. It is in that capacity that I appear today, as a Governor who personally was involved in leading the disaster recovery in 10 federally declared natural disasters, as well as declaring many more state of emergencies.

I should note that I appear here as a private citizen, now working in Washington, D.C., and my testimony is not made on behalf of the State of West Virginia or the nonprofit educational organization I now head.

Many times I have triggered our state's emergency services process, including activating our state's incredible National Guard. I have spent long hours in the state's emergency command center preparing for a major storm; I have been in communities as they were flooding; I have walked through towns and communities that were almost totally destroyed; and I have worked with our Legislature to devise new ways to rebuild devastated areas where there were no existing tools in the toolbox.

Rather than talk about FEMA as it currently is—and its limitations, illustrated by the recent experiences on the Gulf Coast—I prefer to make recommendations about the way it should be.

1. In responding to natural disasters, FEMA does best as an independent agency. Most agree that FEMA gained enhanced status as an effective and responsive agency under the team of President Clinton and FEMA Administrator James Lee Witt. As governor, all of the disasters I encountered were during President Bush's first term, during which I found FEMA Administrator, Joe Allbaugh, to be equally responsive. There was a common element to both Administrators—they were personally close to the President and White House that appointed them and they, in effect, functioned at the same level as cabinet officers. Additionally, they both had extensive experience working in state and local government. They knew what a governor or emergency services officer was going through, and they had the ability to respond quickly.
2. A direct relationship to the White House is crucial. If FEMA is truly to coordinate planning and response to natural disasters, the other federal agencies must know that the FEMA director and the President communicate directly. Numerous federal agencies, such as the Small Business Administration, HUD, VA, EPA, Agriculture, Labor, and the Army Corps of Engineers must immediately coordinate in order to get disaster victims back on their feet as soon as possible. Often times, additional agencies not usually associated with disaster recovery need to be brought in. Under the previous independent structure, there was never any question of who the other Cabinet secretaries and assistant secretaries responded to; under the present structure, I truly have trouble believing that the present FEMA head, whoever it is, can command the same respect in the vast federal bureaucracy. Take a look at the current DHS organizational chart—it took me two tries to find FEMA in the structure.

The FEMA director needs the immediate ear of the President to command the respect of the many state and local officials he must work with. If I had an urgent problem, I knew I could go to Joe Allbaugh and I was plugged in as directly as I could be. I did not have to spend long days trying to devise an end run to the White House.

Admittedly, even after FEMA initially moved under DHS in March of 2003, I felt I still had a direct connection to the highest decision makers. In retrospect, I believe that is because the first DHS Secretary, former Pennsylvania Governor Tom Ridge, was well respected by governors. He met with us regularly, and we knew that he understood our needs in dealing with natural disasters, at the same time we were all learning how to deal with terrorism. Once again, I knew that I had a direct line to someone who understood and also someone who had a direct line to the White House.

With respect to the present Secretary of DHS, I do not question his credentials to coordinate anti-terrorist activities. Indeed, the fact that there have been no major terrorist incidents may indicate his ability in this area. And understandably, his top priority is preventing terrorist attacks. His resume, however, indicates no experience in natural disasters. So now the main natural disaster response agency

is removed from direct communication to the White House and the top of the organizational chart has no real sensitivity to dealing with natural disasters.

3. Another reason to restore independent status is that FEMA needs to be able to present and argue for its budgetary and programmatic needs based on disaster prevention and recovery in the states and not the overall spending issues under the guise of Homeland Security. Some of the recent cuts indicate either a shift of priorities to preparing for terrorist attacks, an ignorance of what is needed to respond and the importance of preventive activities, or achieving budget constraints at the expense of FEMA. Former FEMA director Brown indicated in recent congressional testimony that budget cuts had restricted the agency's response capability.

One area that needs to have increased attention is Prevention and Hazard Mitigation. My state made excellent use of the 15 percent of recovery funds that were made available to prevent future mishaps. In areas that flooded repeatedly, we were able to buy out landowners, elevate homes or take other flood prevention measures to prevent recurring damage. The money invested often saved many times the amount in future damage.

Likewise, FEMA must be free to consider, propose, and coordinate innovative interagency recovery programs. For instance, this Committee worked to establish the mitigation program I have referenced. Following my first presidentially-declared disaster where an entire rural mountain town was wiped out, we realized that existing recovery programs would not be sufficient. For small business owners already saddled with debt, even a low interest SBA loan was out of reach. So the State offered a \$20,000 "Forgivable Loan" that was completely forgiven if the business continued for five years. We coupled that with a \$15,000 extremely low interest loan. We worked with SBA to have that as part of the overall package businesses were offered. Just as this led to the rejuvenation of the devastated town, measures like this will clearly be needed along the Gulf Coast. Once again, I question the ability of this type of proposal to work its way up the chain of command of the Department of Homeland Security, focused mainly of preventing terrorist attacks.

For all the above reasons, FEMA needs to be an independent agency. Where FEMA resources are needed in a terrorist situation, the President can quickly order the agency to fall under the DHS command in the same manner that the traditionally civilian Coast Guard could come under military command.

From my vantage points, I have come to realize that there is not just one type of emergency response to every situation. There are crucial differences in responding to a natural disaster and a terrorist or enemy attack. For natural disasters, there are often several days of warning and time to prepare. Hurricanes, floods, massive weather surges, such as snow have increasingly more preparation time. Even brief warnings can precede

fires and tornadoes. For terrorist attacks, presumably there is no warning and no preparation time.

And the immediate response is performed under different conditions. With natural disasters, the event typically occurs and then is gone, permitting the immediate search and rescue to take place with no other considerations. A terrorist attack, however, must be conducted with an eye to watching out for subsequent attacks and also apprehending the perpetrators. Preventing future attacks or protecting vital assets may take priority over immediate rescue efforts. With natural disasters, the immediate response is usually straightforward with no need for specialized activities. Responding to a terrorist attack may require highly trained bomb squads or moon-suited specialists skilled in dealing with biological or chemical agents.

The response will be different in the days after the incident. Natural disasters increasingly require civilian agency involvement to assist victims in regaining their personal and economic lives. A terrorist aftermath, while grappling with some similar issues, will also require different skills. Once again, where the long-term response to a terrorist attack requires civilian agency attention, FEMA can be directed by the President to fulfill this role.

Also, planning for natural disasters differs significantly from preparing for attacks on the homeland. Since natural disasters usually cannot be prevented, the planning is about mitigation or responding to the aftermath. In the case of floods, I realized that we could not prevent the heavy rain from falling, but we could affect what happened once it hit the ground. In the case of homeland security, the first priority is actually preventing the event from happening. This requires two different mindsets and approaches.

When FEMA has operated effectively, it is because it has focused on planning, assisting to prevent or mitigate damage and coordinating the long-term recovery. Its effectiveness has also come when the public feels confident that the agency is directly connected to the President.

I would make one observation about disaster recovery that will be extremely important in the Hurricane Katrina and Rita recovery efforts. There is often a policy, both official and unofficial, that the federal government should not pay to do anymore than restore what previously existed. After one West Virginia flood where a community's abysmally inadequate sewer system was destroyed, federal officials resisted paying for anymore than restoring the old system, even though it had previously been cited for significant environmental shortcomings. *There are times when the federal government must accept putting things back the way they should be, not the way they were. And in the long run, this investment will save money.*

Clearly, the federal government does not bear the total responsibility for determining what would improve the previous infrastructure of economic situation in a devastated area. This must be done in partnership with state and local authorities. But the federal policy should not restrict planning for improvement with overly-limited participation

requirements. When the state, local, and federal governments can agree on how to restore an area to a stronger condition than before the disaster, everyone gains.

For example, the New Orleans public school system was clearly suffering before Hurricane Katrina. Forty-seven percent of its schools failed to make Adequate Yearly Progress (AYP) under No Child Left Behind. About one-third failed to graduate, and many more students graduated without the skills they needed to succeed in modern society. There had been a rapidly revolving door of superintendents. The state of Louisiana had recently taken over certain functions of the failing school system.

Levees, public utilities and infrastructure will need to be restored to a higher standard than what previously existed; so simply rehabilitating flooded school buildings and putting children back into the same inadequate education system is certainly bad policy and, ultimately, bad economics. The basic responsibility for redesigning the public school system in Orleans Parish is on the state and local governments, but the federal government should be open to assisting in this important restoration effort.

A final note: There have been some proposals to put overall disaster planning, response, and recovery under military authority. I have the greatest respect for the commitment of this nation's soldiers. But this is not a job they are trained for, nor will they be effective. Disaster response and recovery requires great experience and preparation. Military units that are rotated overseas and back will never be able to develop the expertise. Nor are the federal military units likely to be as familiar with a locality as that state's National Guard.

There are occasionally important roles for the active duty military, especially in preserving social order and performing the engineering work associated with cleaning up after a disaster. But the overall recovery programs are administered by civilian agencies. And I question how well outside military structures will mesh with the state and local civilian authorities.

While I was in office, FEMA worked to develop long-term relationships with local authorities. Will the military have the time or inclination to do this?

In closing, while in Congress, I became very impressed with the commitment and responsiveness of the men and women who worked with FEMA. As a state's chief executive during the first years of the Bush Administration and on the front lines of natural disasters, that respect only deepened. For FEMA to be effective, certain conditions have to exist. This requires an effective FEMA that can truly respond to the frequent disasters that will affect much of the nation. As Michael Brown noted recently, during his term in office, there had been 150 presidentially-declared disasters. During the same period, effective anti-terrorism efforts meant there have been no major terrorist attacks since September 11, 2001. Clearly this shows the need for an independent FEMA with a strong administrator that can respond to the disasters that Americans are most likely to experience.

Department of Homeland Security

